

**Introduced by Senator Mendoza**

February 26, 2015

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An act to amend Section 18897 of, to add Section 18897.8 to, and to repeal and add Section 18897.1 of, the Health and Safety Code, relating to housing.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 476, as introduced, Mendoza. Organized camps.

Existing law requires the State Public Health Officer to establish rules and regulations establishing minimum standards for organized camps, and regulating the operation of organized camps that he or she determines are necessary to protect the health and safety of the campers. Existing law establishes minimum standards for the operation, regulation, and enforcement of organized camps, as defined.

This bill would recast those provisions and instead define an “organized camp” to include an “organized resident camp” and an “organized day camp,” as specified. The bill would require those camps to develop a written operating plan and provide the local public health officer with the plan, or written verification that the camp is accredited by the American Camp Association, at least 30 days prior to commencing operation of the camp. The bill would also require those camps to comply with applicable safety and supervision requirements relating to camp directors and counselors, install a carbon monoxide detector in specified buildings, and store firearms and bows and arrows in a locked storage cabinet when not in use, as specified.

The bill would authorize the local public health officer to inspect the camp and charge a fee for that purpose. The bill would also require the State Department of Public Health, in adopting or amending the rules

and regulations pertaining to organized camps, to make reasonable efforts to obtain the input and advice of prescribed organizations.

Because this bill would impose additional duties upon local public health officers in cities and counties, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that with regard to certain mandates no reimbursement is required by this act for a specified reason.

With regard to any other mandates, this bill would provide that, if the Commission on State Mandates determines that the bill contains costs so mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 18897 of the Health and Safety Code is  
2 amended to read:

3 18897. (a) ~~“Organized camp” means a site with program and~~  
4 ~~facilities established for the primary purposes of providing an~~  
5 ~~outdoor group living experience an organized resident camp or~~  
6 ~~an organized day camp that operates seasonally to provide~~  
7 ~~group-based recreation and expanded learning opportunities with~~  
8 ~~social, spiritual, educational, or recreational objectives, for five~~  
9 ~~days or more during one or more seasons of the year. services on~~  
10 ~~a seasonal basis.~~

11 *(1) A group that leases an organized camp for the purpose of*  
12 *conducting a camp for children under 18 years of age shall comply*  
13 *with this part.*

14 *(2) An “organized camp” does not include any of the following:*  
15 *(b)*

16 ~~(A) The term “organized camp” does not include a~~ *A hotel,*  
17 ~~motel, tourist camp, trailer park, resort, hunting camp, auto court,~~  
18 ~~labor camp, penal or correctional camp and does not include a~~  
19 ~~child care institution or home-finding agency. camp, drug and~~  
20 ~~alcohol resident rehabilitation program or other program or~~

1 *facility subject to occupancy taxes, home-finding agencies, or a*  
2 *licensed child day care facility as defined in Section 1596.750.*

3 *(e)*

4 *(B) The term “organized camp” also does not include any A*  
5 *charitable or recreational organization that complies with the rules*  
6 *and regulations for recreational trailer parks.*

7 *(C) Sites or programs that are used by adults or groups for*  
8 *counseling, religious retreats, reunions, conferences, and special*  
9 *events on an intermittent, short-term basis of less than four*  
10 *consecutive overnight stays.*

11 *(D) Day camp programs offered by museums, zoos, cities,*  
12 *counties, or special districts.*

13 *(b) “Organized resident camp” means a site or sites with*  
14 *programs and facilities established for the primary purposes of*  
15 *providing group living experiences and that provides overnight*  
16 *stays during one or more seasons of the year, excluding field trips*  
17 *as provided for under subparagraph (B) of paragraph (2) of*  
18 *subdivision (c).*

19 *(c) (1) “Organized day camp” means a program that is*  
20 *established for the primary purpose of providing group experiences*  
21 *for children under 18 years of age during the day.*

22 *(2) An organized day camp may do all of the following:*

23 *(A) Transport campers to parks, beaches, campsites, and other*  
24 *locations for activities.*

25 *(B) Provide for offsite field trips for no more than three*  
26 *consecutive days. Any organized day camp that provides offsite*  
27 *field trips for more than two consecutive nights shall be considered*  
28 *an organized resident camp.*

29 *(3) An organized day camp shall have adequate staff to carry*  
30 *out the program, including, but not limited to, a qualified program*  
31 *director who has at least two seasons of administrative or*  
32 *supervisory experience at an organized day camp or a youth*  
33 *program. The program director shall be present at all times during*  
34 *the operation of the organized day camp.*

35 *(d) “Camper” means any person in an organized camp on a*  
36 *fee or nonfee basis who is a participant in the regular program*  
37 *and training of an organized camp.*

38 SEC. 2. Section 18897.1 of the Health and Safety Code is  
39 repealed.

1     ~~18897.1. “Camper” means any person in an organized camp~~  
2     ~~on a fee or nonfee basis who is a participant in the regular program~~  
3     ~~and training of an organized camp, and who may take on duties~~  
4     ~~relating to such program and training.~~

5     SEC. 3. Section 18897.1 is added to the Health and Safety  
6     Code, to read:

7     18897.1. (a) An organized day camp or an organized resident  
8     camp shall do all of the following:

9     (1) Develop a written operating plan and provide the plan, or  
10    written verification that the camp is accredited by the American  
11    Camp Association (ACA), to the local public health officer or his  
12    or her designee at least 30 days prior to commencing operation of  
13    the camp. Year-round camps shall submit their plans on an annual  
14    basis.

15    (2) Meet the applicable requirements of Section 30751 of Title  
16    17 of the California Code of Regulations.

17    (3) Install a carbon monoxide detector in any building intended  
18    for human occupancy that has a fossil fuel burning heater or  
19    appliance, a fireplace, or an attached garage.

20    (4) Store all firearms, including rifles, pellet guns, and air guns,  
21    and bows and arrows in a locked cabinet designated for this use  
22    when those items are not in use for authorized camp activities. The  
23    director, or a qualified designee that meets the requirements of  
24    subdivision (a) of Section 30751 of Title 17 of the California Code  
25    of Regulations, of the organized camp shall maintain possession  
26    of the key to this cabinet.

27    (b) The local public health officer shall acknowledge receipt of  
28    the operating plan or verification of accreditation described in  
29    paragraph (1) of subdivision (a) within 30 days. The local public  
30    health officer may charge a fee for the review of an operating plan  
31    that shall not exceed the actual cost of review. The local public  
32    health officer may not charge a fee for an acknowledgment of  
33    camp accreditation. Upon receipt of the local public health officer’s  
34    acknowledgment, the organized day camp or organized resident  
35    camp shall post a copy of the acknowledgment in a conspicuous  
36    location on the camp premises.

37    (c) (1) The local public health officer may inspect the organized  
38    day camp or organized resident camp and any charge a fee for that  
39    purpose, not to exceed the reasonable cost of the inspection. The  
40    local public health officer shall provide, within 30 days, a summary

1 of any violations of health and safety standards established in the  
2 rules and regulations establishing minimum standards for organized  
3 camps.

4 (2) If the local public health officer does not conduct an  
5 inspection, he or she may not impose any charges on the organized  
6 day camp or organized resident camp other than for reviewing the  
7 plan pursuant to paragraph (2) of subdivision (a).

8 (d) An organized day camp or organized resident camp that has  
9 been cited for failing to meet legal requirements may appeal the  
10 citation to the local health department.

11 SEC. 4. Section 18897.8 is added to the Health and Safety  
12 Code, immediately following Section 18897.7, to read:

13 18897.8. The State Department of Public Health, in adopting  
14 or amending the rules and regulations pertaining to organized  
15 resident camps and organized day camps under this part, shall  
16 make reasonable efforts to obtain the input and advice of  
17 organizations in the field. All costs incurred by the participating  
18 organizations shall be borne by the organizations themselves. The  
19 department shall implement this section in the most cost-effective  
20 manner deemed feasible.

21 SEC. 5. No reimbursement is required by this act pursuant to  
22 Section 6 of Article XIII B of the California Constitution because  
23 a local agency or school district has the authority to levy service  
24 charges, fees, or assessments sufficient to pay for the program or  
25 level of service mandated by this act, within the meaning of Section  
26 17556 of the Government Code.

27 However, if the Commission on State Mandates determines that  
28 this act contains other costs mandated by the state, reimbursement  
29 to local agencies and school districts for those costs shall be made  
30 pursuant to Part 7 (commencing with Section 17500) of Division  
31 4 of Title 2 of the Government Code.